



Atty Dkt No. PP0926.105 2300-0926.04 PATENT

# REQUEST FOR FILING CONTINUATION/DIVISIONAL APPLICATION

Box Patent Application Assistant Commissioner for Patents Washington, D.C. 20231



x "Express Mail" Mailing Label No. EL 457 531 948 US Date of Deposit April 26, 2000
I hereby certify that this paper or fee is being deposited with the United States Postal Service
"Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

(Typed or Printed Name of Person Mailing Paper or Fee)

(Signature of Person Mailing Paper or Fee)

Sir:

This is a request for filing a X continuation divisional application under 37 C.F.R. 1.53(b)(1), of pending prior application serial no. 08/462,641 filed June 5, 1995 of James S. HUSTON, L.L. HOUSTON, David B. RING and Hermann OPPERMANN for BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING.

- 1. X Enclosed is an application filed under 37 C.F.R. 1.53(b)(1). No new matter has been added.
- 2. \_\_\_ verified statement(s) of small entity status filed in prior application serial no. filed on .
- 3.  $\underline{X}$  The filing fee is calculated below (based on enclosed Preliminary Amendment):

A.	Basic Application Fee			\$690
B.	Total Claims $9 - 20 = 0$	x	\$18	0
C.	Independent Claims $3 - 3 = 0$	x	\$78	0
D.	If multiple claims present, add		\$260	0
E.	Total Application Fee (Total of A, B, C & D)		=	690
F.	If small entity status is claimed, reduce Total Application			
	Fee by 50%			0
G.	Total Fee Due (E - F)		=	690

- 4. X The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.
- 5. X A check to cover the \$ 690 application fee is attached.
- 6. \_\_ Cancel in this application original claims of the prior application before calculating the filing fee.
- 7. X The inventors of the invention being claimed in this application are: James S. HUSTON, L.L. HOUSTON, David B. RING and Hermann OPPERMANN.
- 8. \_\_ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 C.F.R. 1.53(b)(1), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application:
- 9. X Amend the specification as follows:
  On page 1, delete lines 7-9 and insert therefor This application is a continuation of U.S. Patent
  Application Serial No. 08/462,641 filed June 5, 1995, which is a continuation of U.S. Patent
  Application Serial No. 08/133,804 filed October 7, 1993, which is a continuation-in-part of U.S. Patent Application Serial No. 07/831,967 filed February 6, 1992, from which applications priority is claimed pursuant to 35 U.S.C. §120 and which applications are incorporated herein by reference in their entireties.--
- 10. X The prior application is assigned of record to Chiron Corporation and Creative BioMolecules, Inc.
- 11. X A preliminary amendment is enclosed.
- 12. X Also enclosed: copy of Petition for Extension of Time in parent case, Blanket Petition for Extension of Time and Authorization to Charge or Credit Deposit Account, copy of Revocation of Power of Attorney and New Power of Attorney signed by Chiron Corporation, copy of Revocation of Power of Attorney and New Power of Attorney signed by Creative BioMolecules, Inc.
- 13. X The power of attorney in the prior application is to Robert P. Blackburn, Reg. No. 30,447, Alisa A. Harbin, Reg. No. 33,895, Joseph H. Guth, Reg. No. 31,261, Charlene A. Launer, Reg. No. 33,035, David P. Lentini, Reg. No. 33,944, Kimberlin L. Morley, Reg. No. 35,391, Roberta L. Robins, Reg. No. 33,208, Dahna S. Pasternak, Reg. No. 41,411, Vandana Date, Reg. No. 38,675 and Gary R. Fabian, Ph.D., Reg. No. 33, 875.
  - a. \_\_ The power appears in the original papers in the prior application.
  - b. X Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
  - c. \_\_ Recognize the following individuals as Associate Attorneys: .

### d. X Address all future communications to Joseph H. Guth, Esq. at:

CHIRON CORPORATION <u>X</u>

Intellectual Property - R440

P.O. Box 8097

Emeryville, CA 94662-8097 Telephone: (510) 923-3888

Facsimile: (510) 655-3542.

Gary R. Fabian, Ph.D. Reg. No. 33,875

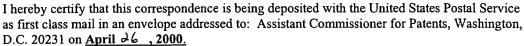
\_ filed under § 1.34(a)

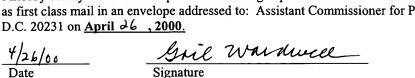
Address of signator:

\_ inventor(s)

\_ assignee of complete interest X attorney or agent of record

### Atty Dkt 0926.006 2300-0926.02 **PATENT**







#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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James S. HUSTON et al.

Serial No.: 08/462,641

Art Unit: 1644

Filing Date: June 5, 1995

Examiner: T. Cunningham

Title:

BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-

**TARGETING** 

#### PETITION FOR EXTENSION OF TIME

**Assistant Commissioner for Patents** Washington, D.C. 20231

Sir:

The following extension of time is requested. A Notice of Appeal was filed October 27, 1999.

	One month to	The extension fee is
	\$55\$110	
	Two months to \$190 \$380	The extension fee is
	Three months to\$435\$870	The extension fee is
<u>X</u>	Four months to <u>April 27, 2000</u> _ \$680 <u>X</u> \$1,360	. The extension fee is
	Five months to	. The extension fee is

Atty Dkt No. 0926.006 USSN: 08/462,641 PATENT

	A (one) (two) month Petition for Extension of Time was previously filed with the appropriate fee on
	The shortened statutory period has been reset by an Advisory Action dated
<u>X</u>	A check to cover the \$ 1,360 extension fee is attached.
	Charge \$ to Deposit Account No. 18-1648.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 18-1648.

Respectfully submitted,

Date: 26 April 2000

Gary R. Fabian, Ph.D.

Registration No. 33,875
Agent for Applicants

CHIRON CORPORATION Intellectual Property - R440 P.O. Box 8097 Emeryville, CA 94662-8097

Telephone: (510) 923-3888 Facsimile: (510) 655-3542



4345

ROBINS & ASSOCIATES 90 MIDDLEFIELD ROAD 650-325-7812 MENLO PARK, CA 94025

90-4153/1211

PAY TO THE ORDER OF

**ASSISTANT COMMISSIONER FOR PATENTS** 

Hurteen hundred SIXtz

DOLLARS D

MID-PENINSULA BANK

100 S. Ellsworth Ave., San Mateo, California 94401 650-323-5150

FOR 08/462,641 2300-0926.02

2300-0926.20 DATE April 26, 2000 ATTORNEY DOCKET \_ 0926.006

Petition for Extension of Time; \$1360

HUSTON et al. INVENTOR: \_\_\_ 08/462,641 SERIAL NO .: \_ June 5, 1995 FILING DATE: \_

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Typed or Printed Name of Person Mailing Paper or Fee

Signature of Person Mailing Paper or Fee

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

James S. HUSTON et al.

Serial No.: CON of 08/462,641

Filing Date: on even date

Art Unit: Unassigned

Examiner: Unassigned

Title:

BIOSYNTHETIC BINDING PROTEINS FOR IMMUNO-TARGETING

## BLANKET PETITION FOR EXTENSION OF TIME AND AUTHORIZATION TO CHARGE OR CREDIT DEPOSIT ACCOUNT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

If a paper is untimely filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative, the Commissioner is hereby petitioned under 37 C.F.R. § 1.136(a) for the minimum extension of time required to make said paper timely. In the event a petition for extension of time is made under the provisions of this paragraph, the Commissioner is hereby requested to charge any fee required under 37 C.F.R. § 1.17(a)-(d) to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

If a paper is concurrently or subsequently filed in this application or any file wrapper continuation application derived therefrom by applicant(s) or her/his/their representative and a fee under 37 C.F.R. §§ 1.16-1.17 is required to effect any amendment, petition or other action requested in said paper, the Commissioner is hereby requested to charge any deficiency in said fee, or credit any overpayment of said fee, to Deposit Account No. 18-1648. This, however, is not authorization to pay the issue fee.

Respectfully submitted,

Date: 26 April 2000

Gary R. Fabian, Ph.D

Registration No. 33,875 Agent for Applicants

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